

LANCE J. HENDRON, ESQ
Nevada Bar No. 11151
HENDRON LAW GROUP LLC
625 S. Eighth Street
Las Vegas, Nevada 89101
Office: (702) 710-5555 ♦ Facsimile: (702) 718-5555
E-mail: lance@hlg.vegas

Attorney for Defendant, Durell Melchor

**UNITED STATES DISTRICT COURT
CLARK COUNTY, NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DURELL MELCHOR,

Defendant.

Case No. 2:20-cr-00142-GMN-EJY-1

**STIPULATION AND ORDER TO CONTINUE
CHANGE OF PLEA HEARING**

(FIRST REQUEST)

IT IS HEREBY STIPULATED BY AND BETWEEN defendant, DURELL MELCHOR by and through his counsel, LANCE J. HENDRON, ESQ., of the Law Firm HENDRON LAW GROUP, LLC, and plaintiff, UNITED STATES OF AMERICA, by and through Nicholas A. Trutanich, United States Attorney and Brett Ruff, Assistant United States Attorney, that the Change of Plea Hearing scheduled for March 24, 2021 at 11:00 a.m. be vacated and set for April 21, 2021 at 9:00 a.m.

This Stipulation is entered into for the following reasons:

1. Due to unforeseen circumstances, defense counsel has a schedule conflict and respectfully requests the Change of Plea hearing be reset.
2. Defense counsel and counsel for the government agree to the continuance.
3. Defendant Melchor is in custody and agrees to a continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

1 5. The additional time requested by this Stipulation is excludable in computing
2 the time within which the trial herein must commence pursuant to the Speedy
3 Trial Act, Title 18, United States Code, Section 3161 (h)(7)(A), considering the
4 factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

5 This is the third stipulation to continue filed herein.

6 DATED this 22nd day of March, 2021.

7
8 Respectfully Submitted,

9 /s/ Lance Hendron
10 Lance J. Hendron, Esq.
11 Counsel for defendant Durell Melchor

12 /s/ Brett Ruff
13 Nicholas Trutanich,
14 United States Attorney
15 Brett Ruff,
16 Assistant United States Attorney

HENDRON LAW GROUP LLC
625 S. EIGHTH STREET
LAS VEGAS, NEVADA 89101
TEL (702) 710-5555 • FAX (702) 718-5555

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5 Las Vegas, Nevada 89101
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8 Attorney for Defendant, Durell Melchor

9 **UNITED STATES DISTRICT COURT**
10 **CLARK COUNTY, NEVADA**

11 **UNITED STATES OF AMERICA,**

Case No. 2:20-cr-00142-GMN-EJY-1

12 Plaintiff,

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER**

13 vs.

14 **DURELL MELCHOR**

15 Defendant.

16 **FINDINGS OF FACT**

17 Based on the pending Stipulation of Counsel, and good cause appearing
18 therefore, the Court finds:

- 19 1. Due to an unforeseen circumstances, defense counsel has a schedule conflict
20 and respectfully requests the Change of Plea hearing be reset.
- 21 2. Defense counsel and counsel for the government agree to the continuance.
- 22 3. Defendant Melchor is in custody and agrees to the continuance.
- 23 4. Additionally, denial of this request for continuance could result in a
24 miscarriage of justice.
- 25 5. The additional time requested by this Stipulation is excludable in computing
26 the time within which the trial herein must commence pursuant to the Speedy
27 Trial Act, Title 18, United States Code, Section 3161 (h)(7)(A), considering the
28 factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would likely result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section § 3161 (h)(7)(A), when considering the factors under Title 18, United States Code, § 3161 (h)(7) (B)(i), (iv).

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ORDER

IT IS HEREBY ORDERED that the Change of Plea Hearing in this matter scheduled for March 24, 2021 at the hour of 11:00 a.m., be vacated and continued to the 21st day of April, 2021, at the hour of 9:00 a.m.

DATED this 22 day of March, 2021.



GLORIA M. NAVARRO
UNITED STATES DISTRICT JUDGE

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